No. Rel. 527—*R A.* 38-29-1, *dated 6th January* 1930. 585

In exercise of the powers vested in them under section 6 of the Mysore Representative Assembly Regulation, XVIII of 1923, the Government of His Highness the Maharaja are pleased to make the following rules, to regulate the conduct of elections to the Representative Assembly, in supersession of the existing rules on the subject :—

A. *Rural Constituencies.*

1. Whenever a General Election to the Representative Assembly or an election to fill up a casual vacancy is to be held, the Government shall fix a date and shall by notification in the Official Gazette, not less than six weeks previous to the date fixed for the election and in such other manner as they may decide, give due publicity of such date.

2. Such of the eligible persons as wish to stand for election shall each deposit or cause to be deposited in a Government Treasury a sum of Rs. 150 in cash and forward the treasury receipt along with their notice of candidature, which shall be in writing, to the Amildar or Deputy Amildar or the Vice-President, Kolar Gold Field Sanitary Board, as the case may be, within such time as may be fixed by the Government. No notice of candidature shall be valid unless accompanied by the treasury receipt as aforesaid.

3(*a*). The said officer shall, if he is satisfied that such persons are eligible to stand for election, prepare a list of such candidates and shall have it posted up under his signature in his office.

(*b*) The Amildar or Deputy Amildar or the Vice-President of the Kolar Gold Field Sanitary Board, as the case may be, may assign to each such candidate a symbol and publish it against the candidate's name in the list referred to above.

(*c*) A candidate may withdraw his candidature by intimation in writing subscribed by him and delivered to the said officer at or before 3 o'clock in the afternoon of the next day after the publication of the list of candidates under sub-rule (*a*).

(*d*) The names of candidates who have so withdrawn their candidature, shall be posted up under the signature of the said officer in his office. A list showing the names of candidates standing for election with the symbols, if any, assigned to them, and with distinguishing particulars as to occupation, etc., if there are two or more candidates bearing the same name shall be published in his office likewise and shall also be published in the Official Gazette by the President, Kolar Gold Field Sanitary Board, in the case of the Sanitary Board area constituency, and in other cases by the Deputy Commissioner of the District in which the constituency is situated.

4. If a candidate by whom or on whose behalf the deposit referred to in Rule 2 has been made withdraws his candidature in the manner and within the time prescribed in rule 3(*c*) or if his candidature is rejected by the officer authorised to receive notices of candidature, the deposit shall be returned to the person by whom it was made.

5. If a person whose candidature has been notified under sub-rule (*d*) of Rule 3 becomes disqualified, or dies, or withdraws his candidature before the poll has commenced, the Returning Officer shall, on being satisfied as to the fact of such disqualification, death or withdrawal notify the fact at the polling station.

6. If a candidate dies or becomes disqualified before the commencement of the poll, the deposit, if made by him, shall be returned to his legal representative, or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person. Deposits made by candidates who withdraw their candidature after the time prescribed in Rule 3(*c*) shall be forfeited to Government.

7. A candidate who has withdrawn his candidature shall not be allowed to cancel his withdrawal.

8(*a*). If the number of candidates remaining for election is equal to the number of members to be returned by the constituency, all such candidates shall be declared duly elected.

(*b*) If the number of such candidates is less than the number of members to be returned by the constituency, all such candidates shall be declared duly elected and the Deputy Commissioner shall, by a notification in the Official Gazette and in such other manner as the Government may direct, call for fresh candidates for the remaining seat or seats and have the election conducted in accordance with these rules.

(*c*) If the number of such candidates is more than the number of vacancies, the names of candidates notified under Rule 5 shall be struck out in the voting papers and a poll shall be taken.

9. There may be more than one polling centre in each constituency and polling shall take place at such centres and at such hours as may be notified by the Deputy Commissioner and it shall be conducted by an Amildar or Deputy Amildar or the Vice-President of

the Kolar Gold Field Sanitary Board or such other person as may be nominated by the Deputy Commissioner or the President of the Kolar Gold Field Sanitary Board in this behalf for the areas within their respective jurisdiction. The Deputy Commissioner or the President as the case may be, will nominate four non-officials to be associated with the polling officer for assisting him in conducting the poll.

10. Electors must vote in person.

11. Every elector is entitled to give as many votes as there are members to be returned by the constituency, provided that not more than one vote may be given to the same candidate.

12. Where, owing to his employment for any purpose in connection with the election, an elector for any constituency is unable to vote at the particular polling station at which he is required to record his vote, he may be authorised by the Returning Officer of the Station at which he is employed by a certificate in the following form to vote at any other polling station in the constituency. This should be duly forwarded in a sealed cover to the polling officer of the station concerned.

FORM.

Certified that .....entitled to vote at.....has been employed by me in connection with the election and is prevented from voting at the said station and that I have therefore authorised him to vote at.....

Signature of the returning Officer.

13(*a*). The voter shall proceed to a place screened from observation which shall be provided by the polling officer and there mark his vote on the voting paper in accordance with the instructions contained therein.

(*b*). The instructions which will be in Kannada should be clearly explained to any voter requiring such explanation.

(*c*) If a voter is unable to read or write or is by reason of blindness or other physical defe[illegible] incapacitated from recording his vote in the manner prescribed, the polling officer ma[illegible]ist him if so desired, in marking the vote on the voting paper and a record of the s[illegible]hall be made on the voting paper and attested by the polling officer.

(*d*) The voting paper should be folded and closed and put into the voting box by the [illegible]imself.

(*e*) Any vote which is not recorded in accordance with the foregoing instructions shall be declared invalid.

14. An ballot paper which is not duly marked or on which votes are given to more candidates than there are members to be elected shall be invalid. If there are more marks than one against any candidate, they shall count as only one. If the mark or any one of the marks is so placed as to render it doubtful to which candidate such mark is intended to apply, the vote concerned, but not the whole voting paper, shall be invalid.

15. A voter who has inadvertently dealt with his voting paper in such a manner that it cannot conveniently be used for the purpose, may obtain another voting paper in place of the spoilt paper the latter together with its counterfoil being marked as cancelled.

16. The ballot box shall be so constructed that the voting paper can be introduced but not extracted without the box being unlocked and it shall be securely sealed by the polling officer with his seal.

17. The polling officer shall satisfy himself as to the identity of the person tendering votes and may disallow the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction. He is also responsible for seeing that the votes are recorded with absolute secrecy, that no person who is not entitled to vote is admitted near the voting table and that persons who have recorded their votes leave the place immediately.

18. After the close of the poll, the polling officer shall forthwith have the voting papers scrutinised and the votes counted and announce the results, provided that where this is not practicable or the ballot box has to be sent to the Returning Officer who is elsewhere for counting, the polling officer shall have the box sealed with his own seal as well as those of such of the candidates or their agents as may wish to do so and arrange for their safe custody and within twenty-four hours thereafter take up the scrutiny and counting of votes or despatch the box to the Returning Officer.

19. (*a*) The box or boxes aforesaid shall be opened in a place to which candidates or their agents shall have access.

(*b*) The votes shall be scrutinised and those that are valid counted by such persons as the Returning Officer appoints in this behalf.

(*c*) If there is an equal number of votes in favour of each of two or more candidates, and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to

have been given, shall be made by lot to be drawn in the presence of the Returning Officer in such manner as he may deem fit.

20. The results of every election shall be certified by the Returning Officer to the Deputy Commissioner or the President, Kolar Gold Field Sanitary Board, as the case may be, who shall report the same to Government for being notified in the official Gazette.

21. If any person is elected by more than one constituency, he shall by notice in writing signed by him and delivered to the Secretary to Government, Law Department, within seven days from the date of publication of the results of such election in the Gazette, choose for which one of those constituencies he shall serve and the choice shall be final.

22. When any such choice has been made, Government shall call upon the constituency or constituencies concerned for which such person has not chosen to serve, to elect another person.

23. If the candidate does not make the choice as required by rule 21, the election of such person shall be void and all the deposits made by him under Rule 2 shall be forfeited to the Government and the Government shall call upon each of the constituencies concerned to elect another person.

24. If a candidate by whom or on whose behalf the deposit referred to in rule 2 has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, the deposit shall be forfeited to Government.

25. The deposit made in respect of a candidate who is not elected, if it is not forfeited under Rule 24, shall be returned to him or to the person who has made the deposit on his behalf or to their legal representatives, as the case may be, after the publication of the result of the election in the Gazette, provided that if a candidate has stood for election in more than two constituencies, not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to Government.

26. If a candidate by whom or on whose behalf the deposit referred to in rule 2 has been made is elected and thereafter his seat is declared vacant owing to his failure to make the prescribed oath or affirmation, the deposit shall be forfeited to Government.

27. The deposit made in respect of a candidate who is elected, if it is not forfeited under Rule 26, shall be returned in the manner provided in Rule 25 after he has taken his seat in the Assembly.

28. When the voting papers have been scrutinised, they shall be replaced in the box and the box after being locked and sealed by the Returning Officer shall be kept by him in safe custody for a period of three months from the date of publication of the result of the election in the official Gazette.

29. The voting papers shall be destroyed on the expiry of three months from the said date or if a petition regarding the validity of the election is presented to the District Judge and such petition is not finally disposed of before the expiry of the above said three months, then after such petition has been finally disposed of.

30. On the presentation of a petition regarding the validity of an election, the District Judge shall give notice of the fact to the officer concerned and direct the voting papers to be preserved pending the final disposal of the petition and produced before him when required.

31. The foregoing rules relating to the conduct of elections in rural constituencies shall apply so far as they may be applicable, to other constituencies with the following modifications.

A. *Urban Constituencies:*

32. (*i*) The authority to whom the candidates should notify their intention to stand for election shall be the Municipal Commissioner for the Bangalore City Urban Constituency and the President of the Municipal Council concerned for other Urban Constituencies, provided that when the President is himself a candidate for election, the Deputy Commissioner may appoint any other officer as the said authority.

(*ii*) The Vice-President, when he is himself not a candidate, the Municipal Commissioner or the Chief Officer of the Municipal area concerned in the case of the Bangalore and Mysore Urban Constituencies and the Amildar or Deputy Amildar in the case of other Urban Constituencies may assign to each such candidate a symbol which shall be published against the candidate's name in the list of candidates prepared under Rule 3 (*d*).

(*iii*) The polling officer shall be the Municipal Commissioner for the Bangalore City Urban Constituency, the President of the Municipal Council for the Mysore City Urban Constituency and the President or such other officer as may be appointed by the Deputy Commissioner for other constituencies, provided that when there is more than one polling station the said officers may appoint any officer or a member of the Municipal Council who is not a candidate as polling officer for every such station.

(*iv*) The results of every election shall be certified by the officer mentioned in or appointed under sub-rule (i) to the Government in the case of the Bangalore City and

Mysore City Urban Constituencies and in the case of the other Urban Constituencies to the Deputy Commissioner who shall report the same to the Government.

B. *Associations Representing Special Interests and Minorities.*

(1) Constituencies consisting of a single Association.

33. (*i*) The election of a member by an Association recognised by Government for the representation of a Special Interest or Minority under the rules framed by them in that behalf shall be made at a general meeting at which not less than 25 per cent of the number of members of the Association or 50 members, whichever is less, are present. The roll of membership of the Association referred to in Rule (*d*) of the rules laid down in para 23 of Government Order No. 1367-1426 C. B. 100-23-1, dated 27th October 1923 shall be conclusive evidence of the membership of the Association.

(d) The number of members on the roll of the Association or Associations shall not be less than one hundred members.

(*ii*) The Managing Committee of the Association shall fix the date and time of the meeting to be held for the purpose of election and shall publish the same in the premises of the Association and communicate the same to the members by letter.

(*iii*) Such of the members of the Association as are desirous of standing for election shall intimate the fact in writing to the Secretary of the Association so as to reach him not later than two days previous to the date of election.

(*iv*) On the receipt of the names of candidates, the Secretary shall immediately prepare a list of such candidates and shall post it up in a conspicious place in the office of the Association.

(*v*) The Committee of the Association shall appoint a Polling Officer for conducting the elections, who may be assisted in this respect by two members other than those who have stood for election.

(*vi*) On the date fixed for the election, the Polling Officer shall issue to each member present at the meeting a voting paper duly signed by him containing the names of candidates together with instructions as to the manner in which the vote is to be recorded.

(*vii*) The Polling Officer shall then count the votes and submit to Government in a sealed cover the voting papers together with a report duly signed by him and the others assisting him, showing the number of persons who were present, the number who have recorded their votes, the names of the candidates voted for and the number of votes secured by each such candidate.

(*viii*) The candidate who has secured the largest number of votes shall be declared duly elected and his name notified in the official Gazette.

(2) Constituencies consisting of more than one association or an association with branches.

34. (*i*) The elections shall be held in such place and on such date as may be notified in the official gazette in this behalf.

(*ii*) Such of the members as are desirous of standing for election shall intimate the fact in writing to the special officer appointed under paragraph (2) of Section C in part II of Notification No. P. 2399 —Legis. 12-23-6, dated 7th November 1923.

"(2) When any Special Interest or Minority is represented through more than one association or through an association with branches which are grouped together by Government under.....Government may appoint a special officer for preparing the roll of electors and the conduct of elections. Such special officer shall have power subject to the general or special orders of Government to arrange for the poll and declare the results."

(*iii*) Within three days after the date fixed for the receipt of such applications, the special officer shall prepare a list of such candidates and shall forward copies of the same to the Secretaries of the Associations and branches, if any, for being posted up in a conspicuous place in their offices. The list shall also be published in the official Gazette.

(*iv*) Not less than seven days before the date fixed for the election, the Returning Officer shall issue, through the post, a declaration paper and a voting paper to each elector to the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, changed his address and intimated the fact in writing to the Returning Officer.

(*v*) The declaration paper shall be in Form I and the Voting Paper in Form II. They shall be printed in Kannada and English. The same serial number shall be entered on the face of the declaration paper and on the back of the voting paper. To each voter shall be issued the declaration paper and the voting paper whose serial numbers correspond to the number which the voter bears on the electoral roll.

(*vi*) When the declaration and the voting papers are issued to an elector the Returning Officer shall—

(*a*) note the fact in the voting paper as well as in the counterfoil under his signature;

(*b*) have the name of the elector entered on the declaration paper; and

(*c*) place his initials against the name of the elector concerned in the electoral roll, or the copy of it to be used on the occasion of the election.

(*vii*) With the declaration and voting papers, the Returning Officer shall send, in an envelope addressed to himself, in Form III, a smaller envelope with the number of the voting paper entered on its face and a letter in Form IV. The Returning Officer shall have the number of the declaration and the voting papers entered at the left hand bottom corner of the envelope in Form III.

(*viii*) An elector who has not received his declaration and voting papers or whose papers have been inadvertently spoilt in such manner that they cannot be conveniently used or who has losthis papers may, on his transmitting to the Returning Officer a declaration to that effect signed by himself, require the Returning Officer to send him fresh papers in place of those not received, spoilt or lost, and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case in which fresh papers are issued, a mark shall be placed against the number of the elector's name in the roll to denote that duplicate papers have been issued in place of those not received, spoilt or lost. No duplicate voting paper shall be supplied to a voter to whom a voting paper has been sent by post, otherwise than under this sub-rule.

(*ix*) No election shall be invalid by reason that an elector has not received a voting paper provided that a voting paper has been issued to him in accordance with sub-rule (*iv*).

(*x*) An elector may record his vote either in person before the Special Officer at the time and place appointed or in accordance with Rule 37.

(*xi*) The Special Officer shall, in the presence of such members, if any, as may be deputed by the Association or branches count the votes and submit to the Government in a sealed cover the voting papers together with a report duly signed by him showing the names of candidates voted for and the number of votes secured by each such candidate.

(*xii*) The candidate who has secured the largest number of votes shall be declared duly elected and his name notified in the Official Gazette.

(C) *Mysore University Constituency.*

35. (*i*) Elections to the Mysore Representative Assembly from the Mysore University Constituency shall be held at such place, on such date and at such time as may be notified by the Registrar of the University previously in the Official Gazette in this behalf.

(*ii*) Such of the Fellows of the University as are qualified and desirous of standing for election shall intimate the fact in writing to the Registrar of the Mysore University so as to reach him not later than twenty days before the date fixed for the election.

(*iii*) Within three days after the receipt of the above applications, the Registrar shall prepare a list of such candidates and shall post it up in a conspicuous place in his office and shall also send a copy of the list to each person entered on the roll. The list shall also be published in the Official Gazette.

(*iv*) Not later than fourteen days before the date fixed for the election, the Registrar shall send a voting paper and a declaration paper in the manner prescribed in sub-rules (*iv*) to (*viii*) of Rule 34 to each elector entered on the electoral roll who is not a resident of the Mysore City.

(*v*) No election shall be deemed invalid by reason of non-receipt of such voting paper by any elector, provided that a voting paper has been issued to him in accordance with sub-rule (*iv*).

(*vi*) An elector may record his vote either in person before the Registrar at the time and place appointed or in accordance with Rule 37.

(*vii*) The Registrar shall, in the presence of two Fellows, other than those who have stood for election, to be deputed by the Vice-Chancellor, count the votes and submit to the Government in a sealed cover the voting papers together with a report duly signed by him and the Fellows so deputed, showing the names of the candidates voted for and the number of votes secured by each such candidate.

(*viii*) The candidates who have secured the largest number of votes shall be declared duly elected and their names notified in the Official Gazette.

(D) *Legal Interest Constituency.*

36. (*i*) Elections to the Mysore Representative Assembly from the Legal Interests Constituency shall be held on such date and at such place and time as may be notified previously in the Official Gazette, in this behalf.

(*ii*) Such of the Advocates and Pleaders of the Chief Court registered in the rolls as are qualified and desirous of standing for election shall intimate the fact in writing to the Registrar of the Chief Court of Mysore so as to reach him not later than 20 days before the date fixed for the election.

(*iii*) Within three days after the time fixed for the receipt of the above applications, the Registrar shall prepare a list of such candidates and shall post it up in a conspicuous place in his office. The list shall also be published in the Official Gazette.

(*iv*) Not later than seven days before the day fixed for the election, the Registrar shall send to each Advocate and Pleader registered in the roll, who is not a resident of the Bangalore City, a voting paper and a declaration paper in the manner prescribed in sub-rules (*iv*) to (*viii*) of Rule 34.

(*v*) No election shall be deemed invalid by reason of the non-receipt of such voting paper by any elector provided that a voting paper has been issued to him in accordance with sub-rule (*iv*).

(*vi*) An elector may record his vote either in person before the Registrar at the time and place appointed or in accordance with Rule 37.

(*vii*) The Registrar shall with the assistance of two Advocates, other than those who have stood for election, to be deputed by the Chief Judge count the votes and submit to the Government in a sealed cover the voting papers together with a report duly signed by him and the advocates so deputed, showing the names of the candidates voted for and the number of votes secured by each such candidate.

(*viii*) The candidate who has secured the largest number of votes shall be declared duly elected and his name notified in the Official Gazette.

VOTING BY PERSONS SUPPLIED WITH VOTING PAPERS BY POST.

37. (*i*) The electors to whom voting papers have been supplied by post may record their votes before any Amildar, Deputy Amildar, Taluk Sheristedar or Sub-Registrar in the service of the Government of Mysore or any polling officer for any constituency between the hours and on the date fixed for the election.

(*ii*) Such officer shall, after satisfying himself as to the identity of the elector, allow the elector to record his vote.

(*iii*) Every such elector shall, in the presence of the said officer, fill in the declaration paper and affix his signature thereto. He shall then enclose the voting paper in the smaller envelope and stick it up and enclose the smaller envelope and the declaration paper in the larger envelope and hand it over to the said officer who shall then forward such declaration papers and sealed covers forthwith in a sealed envelope to the Returning Officer of the constituency concerned.

38. Such envelopes received by the Returning Officer shall first be arranged serially according to the numbers entered on them and shall then be opened by the Returning Officer or in his presence. The Returning Officer shall first examine or cause to be examined whether the numbers on the declaration papers and the envelope containing the voting papers are correct. If the Returning Officer is satisfied on this point and if the declaration is *prima facie* regular, he shall file the declaration papers and put the envelopes containing the connected voting papers in a separate heap.

39. Where the Returning Officer is not satisfied that a declaration paper is the one sent out by him to the voter concerned or where the declaration is not in order, he shall endorse the word "rejected" on the back of the declaration paper and keep it with the connected voting papers in a separate bundle.

40. The envelopes containing the voting papers except those rejected under Rule 39 shall then be opened, the papers examined, together with those, if any, deposited in the ballot box and the votes counted by the Returning Officer or under his supervision.

41. (*a*) The Returning Officer shall endorse the word "rejected" on every voting paper that he rejects and where the rejection order is questioned by any candidate or agent, give brief reason for his order. Rejected voting papers shall be kept separate.

(*b*) After the Returning Officer has completed the scrutiny and counting, he shall record the votes secured by each of the candidates in Form V and submit the result to the Government who will declare the election of the successful candidate or candidates.

GENERAL.

42. (1) The Government may, in special cases, exempt candidates belonging to Depressed Classes and candidates standing on behalf of Special Interests or Minorities from making the deposit referred to in Rule 2.

(2) The deposit when returnable under the foregoing rules shall, in the case of single association constituencies, be refunded only with the sanction of the Deputy Commissioner of the district in which the election has been held.

FORM I.

Vide Rule 34 (*v*).

Form of declaration to be made by voters to whom voting papers are supplied by post.

I (name in full with occupation and place of residence).....
.....declare that I am an elector for.....
constituency that my name is registered under Serial No.....in the electoral roll for the constituency that I have used no other voting paper at the election for the said constituency and that I have now marked my vote on the voting paper No.....supplied to me by post by the Returning Officer of the said constituency.

2. I also declare that I am a subject of His Highness the Maharaja by birth (1) domicile

Or

that I have been exempted under the second proviso to Rule 1 (i) of the Rules relating to qualifications and disqualifications of voters to the Representative Assembly.

FORM II.

Vide Rule 34 (*v*).

VOTING PAPER.

CONSTITUENCY ELECTION.

Names of candidates.

1. The number of members to be elected is.....
2. Place a cross mark thus X against the name of the $\frac{\text{candidate}}{\text{each of the candidate}}$ for whom you wish to vote.
3. The mark should be placed against not more than..... ...$\frac{\text{name}}{\text{names}}$.

FORM III.

Vide Rule 34 (*vii*).

FORM OF FACE OF ENVELOPE.

Representative Assembly Election.....

Constituency..... .....

Poll on..... ....

To

.....The Returning Officer,

.....Constituency,

.....(Station and Address).

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FORM IV.

Vide Rule 34 (*vii*).

FORM OF LETTER OF INTIMATION.

No.....

.....Constituency.

Rule 37.

Voting by persons supplied with voting papers by post :—

"(i) The electors to whom voting papers have been supplied by post may record their votes before any Amildar, Deputy Amildar, Taluk Sheristedar of Sub-Registrar in the service of the Government of Mysore or any polling officer for any constituency between the hours and on the date fixed for the election.

(ii) Such officer shall, after satisfying himself as to the identity of the elector, allow the elector to record his vote.

(iii) Every such elector shall in the presence of the said officer fill in the declaration paper and affix his signature thereto. He shall then enclose the voting paper in the smaller envelope and stick it up and enclose the smaller envelope and the declaration paper in the larger envelope and hand it over to the said officer who shall then forward such declaration papers and sealed covers forthwith in a sealed envelope to the Returning Officer of the constituency concerned."

Sir,

The persons whose names are printed on the voting paper sent herewith have stood as candidates for the Representative Assembly. Should you desire to vote at this election, I have to invite your attention to the marginally noted rule and to request that you will :—

(*a*) first sign the declaration paper and hand it over to the officer before whom you vote for inspection ;

(*b*) then mark your vote in the column provided for the purpose in the voting paper ;

(*c*) enclose the voting paper in the smaller envelope ; and

(*d*) put the smaller envelope and the declaration paper in the envelope addressed to me and hand it over to the officer before whom you record your vote.

Signed.....

Returning Officer.

Station.....

Dated.....

FORM V.

Vide Rule 41 (*b*).

Form showing the RESULT of the POLLING.

Name of candidate	Number of votes recorded in his favour

Total number of valid votes.....

Total number of invalid votes .....

I declare that.....has been duly elected.

Signature.....

Returning Officer.